

**PATENT
EMC-01-109**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Joseph P. Russo, et al	GROUP ART UNIT:	2175
U.S.S.N.:	10/024,971	EXAMINER:	Pardo, Thuy N.
FILING DATE:	December 19, 2001	CUSTOMER NO.	24227
TITLE:	SYSTEM AND METHOD FOR CONFIGURING AND PERFORMING APPLICATION BACKUPS AND RESTORES IN THE DIVERSE ENVIRONMENTS		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 24, 2005.

Sandra A. Kulaga

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the Office Action mailed March 21, 2005. This response is timely filed and no fee is believed due; however, any fees required for consideration of this paper (including fees for net addition of claims) are hereby authorized to be charged in one originally-executed and one copy of the Transmittal Form filed herewith.

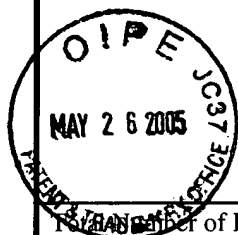
Applicant: Joseph P. Russo, *et al.*
U.S.S.N.: 10/024,971
Filing Date: December 19, 2001
EMC Docket No.: EMC-01-109

Please amend the subject application, as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 10 of this paper.

AFI 2175



TRANSMITTAL FORM

Application No.:	10/024,971
Filing Date:	December 19, 2001
First Named Inventor:	Joseph P. Russo, et al
Confirmation No.	4871
Group Art Unit	2175
Examiner:	Pardo, Thuy N.
Customer No.	24227
Docket No.	EMC-01-109

Number of Pages in this Submission:

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate) <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Decl. <input type="checkbox"/> Extension of Time Request for ____ Months (in duplicate) <input type="checkbox"/> Request for Continued Examination Transmittal <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet <input type="checkbox"/> Declaration/Power of Attorney <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> Revocation of Power of Attorney <input type="checkbox"/> Formal Drawings <input type="checkbox"/> Letter to Official Draftsperson with three (3) sheets of redlined changes to drawings <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review" <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Additional Enclosures:	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate) <input type="checkbox"/> Fee Transmittal (in duplicate) <input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Certificate of First Class Mailing <input type="checkbox"/> Certificate of Express Mail Mailing <input checked="" type="checkbox"/> Postcard
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Date <u>May 24, 2005</u> Tel: (508) 293-6985 Fax: (508) 293-7189	<u>Robert Kevin Perkins</u> Robert Kevin Perkins Esq. (Reg. No. 36,634) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748
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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and the above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

Date <u>May 24, 2005</u>	<u>Sandra A. Kulaga</u> Signature Sandra A. Kulaga Typed or printed name of person signing certificate
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